

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 16, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS ALCALA ORTEGA,

Defendant.

NO. 4:20-CR-06002-SAB-6

**ORDER GRANTING
DEFENDANT'S MOTION TO
CONTINUE PRE-TRIAL
CONFERENCE AND JURY
TRIAL DATE**

Before the Court is Defendant's Motion to Continue Pre-Trial Conference and Trial Date, ECF No. 382. Defendant is represented by Ken Therrien. The United States is represented by Stephanie Van Marter.

Defendant asks to continue the trial date to provide additional time for his counsel to review discovery, investigate the case, prepare pre-trial motions, and prepare the case for trial. He indicates the United States does not object to his request. He also submitted a waiver of his Speedy Trial rights. ECF No. 383. Good cause exists to grant the motion.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Motion to Continue Pre-Trial Conference and Trial Date, ECF No. 382, is **GRANTED**.

2. The current trial date of January 24, 2022 is **STRICKEN** and **RESET** to **March 21, 2022**, at **9:00 a.m.**, commencing with a **final** pretrial conference at **8:30 a.m.** The trial will take place in **Richland**, Washington.

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1 3. The status conference **set** for November 17, 2021, is **STRICKEN**.

2 4. The pretrial conference set for January 5, 2022, is **continued** to
3 **March 9, 2022, at 10:00 a.m., in Yakima, Washington.** Counsel shall advise the
4 Court regarding any dispositive change in the status of this case **at least 5 days**
5 **prior to the pre-trial conference.** Any motion to continue the pre-trial conference
6 or trial shall be filed at the earliest practicable opportunity, but no later than **seven**
7 **(7) days prior to said proceeding.** Movant shall provide (1) specific and detailed
8 reasons for the continuance to permit the Court to make the necessary findings; (2)
9 if applicable, the Defendant's signed Speedy Trial Waiver; (3) the position of
10 opposing counsel; and (4) the proposed new date. A motion filed on behalf of one
11 defendant shall be considered to be filed on behalf of each defendant, unless any
12 defendant files an "opt out" of such motion. Continuances are not granted absent
13 good cause.

14 5. The deadline for filing pretrial motions, including motions in limine,
15 is **February 9, 2022.**

16 6. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time between January 24,
17 2022, the current trial date, until March 21, 2022, the new trial date, is
18 **DECLARED EXCLUDABLE** for purposes of computing time under the Speedy
19 Trial Act. The Court finds that the ends of justice served by such a continuance
20 outweigh the public's and Defendants' interest in a speedy trial.

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1 7. Trial briefs, proposed voir dire, jury instructions, verdict forms,
2 exhibit lists, expert witness lists, and summaries of expert testimony shall be filed
3 and served by all parties on or before seven (7) calendar days prior to trial. This
4 does not modify the parties' discovery obligations under Fed. R. Crim. P. 16.
5 Absent an agreement between the parties or an Order from the Court, the parties'
6 Fed. R. Crim. P. 16 discovery deadlines shall be governed by Local Criminal Rule
7 16.

8 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
9 enter this Order and furnish copies to counsel.

10 **DATED** this 16th day of November 2021.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive, flowing style.

16 Stanley A. Bastian
17 Chief United States District Judge
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